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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/465,879	12/16/1999	JOHN L. BEEZER	3797.84611	9430

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BANNER & WITCOFF LTD.,
ATTORNEYS FOR MICROSOFT
1001 G STREET, N.W.
ELEVENTH STREET
WASHINGTON, DC 20001-4597

EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/465,879

Applicant(s)

BEEZER ET AL.

Examiner

Mylinh Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Appeal Brief filed 03/10/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,9,12,22,27 and 29-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,9,12,22,27 and 29-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1, 4, 9, 12, 22, 27 and 29-34 are pending in this application. This action is made non-final.

In view of the Appeal Brief filed on 03/10/2005, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 9, 22, 27, 33, 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Henckel et al. [US. 5,463,725].

As to claims 1 and 9, Henckel et al. discloses a computer implemented method and corresponding apparatus for displaying at least a portion of the electronic document to the user as an immersive reading page, the immersive reading page mimicing a printed paper (figures 1-4, column 2, lines 12-66); associating navigational functionality with a page number of the immersive reading page (Henckel et al. cite "In order to "turn the page" of the displayed book, the user touches the screen with his hand or a pointing device, and moves it across the screen." on page 1, lines 51-55. The step of "turn the page" reads as a navigational functionality of the claimed invention), the page number having a corresponding interactive region (Henckel et al. cite "In order to turn this page, the user touches the display device 10 somewhere on page 103....Any other location on the face of page 103 would be suitable", on page 2, lines 51-56. The interactive region could be any where on an entire page of the displayed book),

displaying another immersive reading page of the electronic document in response to the user selecting the interactive region corresponding to the page number of the immersive reading page (Henckel et al. cite "the user then drags his hand to the left, across the face of the display device 10, and a graphic of a turning page 28 moves with it. Thus, as the user "swipes" his hand from right to left across the surface of the display screen 10 a graphical depiction of a page turning is shown" on page 2, lines 58-62), wherein

the navigational functionality associated with the page number is transparent to the user prior to the user selecting the interactive region corresponding to the page number of the immersive reading page (Henckel et al. cite "A turning page graphic 28 is displayed part way through this process of turning a page. In order to turn this page, the user touches the display device 10 somewhere on page 103" on page 2, lines 50-65. Before the user swipes his hand from right to left across the surface of the display screen, the user could not see the navigational functionality because it is transparent to the user).

As to claims 22 and 27, Henckel et al. teach the electronic document being a book in electronic form and the immersive reading page mimics a printed paper page of a book (figures 1-4, page 2, column 20-25).

As to claims 33-34, Henckel et al. discloses a computer implemented method and corresponding apparatus for displaying at least a portion of the electronic document to the user as an immersive reading page, the immersive reading page mimicing a printed paper (figures 1-4, column 2, lines 12-66); associating navigational functionality with an element of the immersive reading page (Henckel et al. cite "In order to "turn the page" of the displayed book, the user touches the screen with his hand or a pointing device, and moves it across the screen." on page 1, lines 51-55. The step of "turn the page" reads as a navigational functionality of the claimed invention), the page number having a corresponding interactive region (Henckel et al. cite

"In order to turn this page, the user touches the display device 10 somewhere on page 103....Any other location on the face of page 103 would be suitable", on page 2, lines 51-56. The interactive region could be any where on an entire page of the displayed book),

displaying another immersive reading page of the electronic document in response to the user selecting the interactive region corresponding to the element of the immersive reading page (Henckel et al. cite "the user then drags his hand to the left, across the face of the display device 10, and a graphic of a turning page 28 moves with it. Thus, as the user "swipes" his hand from right to left across the surface of the display screen 10 a graphical depiction of a page turning is shown" on page 2, lines 58-62), wherein

the navigational functionality associated with the page number is transparent to the user prior to the user selecting the interactive region corresponding to the element of the immersive reading page (Henckel et al. cite "A tuning page graphic 28 is displayed part way through this process of turning a page. In order to turn this page, the user touches the display device 10 somewhere on page 103" on page 2, lines 50-65. Before the user swipes his hand from right to left across the surface of the display screen, the user could not see the navigational functionality because it is transparent to the user).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henckel et al. [US. 5,463,725].

As to claims 29 and 31, Henckel et al. fail to clearly teach displaying including displaying only one immersive reading page at a time. However, implementation of displaying in one page was well known in the art. It would have been obvious to one of ordinary skill in the art, to combine the well known implementation of displaying only one reading page at a time with Henckel's electronic book. Motivation of the combination would have been to make text bigger and easier to read.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 12, 30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henckel et al. [US. 5,463,725] in view of Ho [US. 6,407,757].

As to claims 4 and 12, Henckel et al. fail to clearly teach the step of invoking a training mode. However, in the same field of the invention, the claimed limitation is disclosed by Ho (column 2, lines 24-36). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine Ho's teaching with Henckel's the immersive reading page. Motivation of the combination would have been to provide users help to understand a book content.

As to claims 30 and 32, Henckel et al. fail to clearly teach the association to the user by providing audio indicators. However, in the same field of the invention, the claimed limitation is disclosed by Ho (column 4, lines 35-47). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine Ho's teaching with Henckel's navigational functionality. Motivation of combining would have been to alert users when turning page.

Response to Arguments

Applicant's arguments with respect to claims 1, 9 and 33 have been considered but are moot in view of the new ground of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 8:00AM to 4:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at 571-272-4136.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

703-872-9306

and / or:


571-273-4141 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100